



DfW  
PATENT  
ATTORNEY DOCKET NO.: 041993-5234

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Gee-Sung CHAE ) Confirmation No.: 4568  
Application No.: 10/669,467 ) Group Art Unit: 1765  
Filed: September 25, 2003 ) Examiner: Vinh, Lan  
For: PATTERN FORMING METHOD AND )  
ELECTRIC DEVICE FABRICATING )  
METHOD USING THE SAME )

Commissioner for Patents  
Alexandria, VA 22314

Sir:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

In an Election of Species Requirement dated October 4, 2005, the period of response to which extends through November 4, 2005, the Examiner required election of one of Species I (species 1a or species 1b) and one of Species II (species 2a or species 2b or species 2c or species 2d). Applicants hereby elect Species 1a and Species 2a for examination with traverse. Applicants respectfully assert that the Examiner's restriction requirement is improper because the species are divided by the etching means, not processes, structure or other technical feature. Applicants respectfully request formal examination of this application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



By:

Robert J. Goodell  
Reg. No. 41,040

Dated: November 4, 2005

Customer No.: 009629  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: 202-739-3000  
Facsimile: 202-739-3001